

State Water Resources Control Board

Division of Drinking Water

June 24, 2016

System No.: 1500409

Ms. Kathy Heiser, Secretary
Brock Mutual Water Company
11900 Lone Oak Drive
Bakersfield, CA 93312

**RE: Violation of the Nitrate Maximum Contaminant Level
Compliance Order No. 03_12_16R_003**

Dear Ms. Heiser:

The State Water Resources Control Board – Division of Drinking Water (Division) has issued Compliance Order No. 03_12_16R_003, for violation of the nitrate maximum contaminant level. Enclosed is the Compliance Order issued to the Brock Mutual Water Company (Water System).

As directed in the enclosed Compliance Order, please provide recognition of receipt of this Compliance Order and the Water System's intent to comply with the Order to the Division of Drinking Water, Visalia District office by **July 25, 2016**.

The Water System will be billed at the Division's hourly rate (currently estimated at \$153.00) for the time spent on issuing this Compliance Order. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specific enforcement actions, including but not limited to preparing, issuing, and monitoring compliance with, an order or a citation. At this time, the Division has spent approximately 1.5 hours on enforcement activities associated with this violation.

If you have any questions regarding this letter or the enclosed Compliance Order, please contact me at (559) 447-3300 or Cristina Knudsen at (559) 447-3317.

Sincerely,



Tricia A. Wathen, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

TAW/CNK

Enclosure: Compliance Order & Appendix

cc: Kern County Environmental Health Department (compliance order only)
McMor Chlorination, Inc., Dennis Gatson

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Brock Mutual Water Company Water System

Water System No: 1500409

Attention: Kathy Heiser, Secretary

11900 Lone Oak Drive

Bakersfield, CA 93312

Issued: June 24, 2016

COMPLIANCE ORDER FOR NONCOMPLIANCE
NITRATE MAXIMUM CONTAMINANT LEVEL
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64431
JUNE 2016

The California Health and Safety Code (hereinafter "CHSC"), Section 116655 authorizes the State Water Resources Control Board (hereinafter "State Board") to issue a compliance order to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues this Compliance Order pursuant to Section 116655 of the CHSC to the Brock Mutual Water Company water system (hereinafter "Water System") for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64431 Maximum Contaminant Levels – Inorganic Chemicals (Nitrate).

A copy of the applicable statutes and regulations are included in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Brock Mutual Water Company Water System is classified as a community water system with a population of approximately 511 persons served through 155 service connections. The Water System operates under Domestic Water Supply Permit No. 03-12-14P-008 issued by the Division on October 30, 2014.

Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water standards, and monitoring and reporting requirements for inorganic constituents. All public water systems must comply with the maximum contaminant level (MCL) for nitrate of 45 mg/L reported as NO_3 , as established in Title 22 CCR Section 64431.

In July 2015, California changed the reporting units for nitrate from an MCL of 45 mg/L reported as NO_3 to nitrate as nitrogen, (also referred to "as N"). A nitrate (as N) value of 10 mg/L is essentially the same as a value of 45 mg/L reported as NO_3 . All water systems are now required to report nitrate sample results analyzed as nitrate (as N).

The Water System first exceeded the nitrate MCL in July 2008 at Well 01 – South with a nitrate (as NO_3) sample result of 51 mg/L. A confirmation nitrate sample was not collected by the Water

System. The Division issued Compliance Order No. 03-19-08O-006 on September 22, 2008 for the nitrate exceedance. As required in the Compliance Order, the Water System began monitoring quarterly for nitrate. A summary of the Water System's most recent nitrate monitoring results are presented in Table 1. All results are reported to the Division by the laboratory that performed the analysis.

Table 1 – Well 01 Nitrate Sample Results for Years 2013 - Present

Constituent	Quarter	Sample Date	Result (mg/L)	MCL
Nitrate (as NO ₃)	Q1	02/14/13	33.0	45
	Q2	06/13/13	31.0	
	Q3	-	-	
	Q4	12/05/13	35.0	
	Q1	-	-	
	Q2	05/15/14	42.0	
	Q3	08/14/14	42.0	
	Q4	11/06/14	20.0	
	Q1	02/05/15	49.0	
	Q2	05/07/15	43.0	
Nitrate (as N)	Q3	08/06/15	9.8	10
		09/03/15	10.0	
	Q4	10/01/15	11.0	
		11/05/15	12.0	
		12/03/15	12.0	
	Q1	01/06/15	8.7	
		02/04/15	9.8	
		03/10/16	11.0	
	Q2	04/17/16	12.0	
		05/05/16	12.0	
No monitoring results were available for Q3 2013 and Q1 2014.				

DETERMINATION

Title 22, Section 64432.1, Monitoring and Compliance – Nitrate and Nitrite states that a public water system is in violation of the nitrate MCL if the average of the original and confirmation sample (collected within 24 hours of notification) exceeds the MCL.

Based on the above Statement of Facts, the Division has determined that the Water System has violated CHSC, Section 116555 and Title 22, CCR, Section 64431 in that the water produced by Well 01 exceeded the nitrate MCL, as shown in Table 1. This compliance order, therefore, shall replace and void Compliance Order No. 03-19-08O-006, and its directives.

DIRECTIVES

To ensure that the water supplied by the Water System is at all times safe, wholesome, healthful, and potable, and pursuant to the California SDWA, the Water System is hereby directed to take the following actions:

1. On or before June 30, 2019, comply with Title 22, CCR, Section 64431, and remain in compliance.
2. On or before July 25, 2016, submit a written response to the Division indicating its agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.
3. Commencing on the date of service of this Order, provide quarterly public notification in conformance with CCR, Title 22, Sections 64463.1 and 64465 of the Water System's failure to meet the nitrate MCL during any calendar quarter in which the nitrate MCL is exceeded. A copy of Sections 64463.1 and 64465 is included in Appendix 1. Appendix 2: Notification Template shall be used to fulfill this directive, unless otherwise approved by the Division.
4. Complete Appendix 3: Proof of Notification Form. Submit it together with a copy of the public notification to the Division within 10 days following each such notification.
5. Commencing on the date of service of this Order, collect quarterly samples for nitrate from Well 01, as required by Title 22, CCR, Section 64432. Ensure that the analytical

1 results are reported as nitrate (as N) reporting units and reported to the Division
2 electronically by the analyzing laboratory no later than the 10th day following the month in
3 which the analysis was completed.
4

- 5 6. Prepare for Division approval an updated Corrective Action Plan identifying
6 improvements to the water system designed to correct the water quality problems
7 (violation of the nitrate MCL) and ensure that the Water System delivers water to
8 consumers that meets primary drinking water standards. The plan shall include a time
9 schedule for completion of each of the phases of the project such as design, construction,
10 and startup, and a date as of which the Water System will be in compliance with the
11 nitrate MCL, which date shall be no later than June 30, 2019.
12
- 13 7. On or before August 26, 2016, submit and present in person the Corrective Action Plan
14 required under Directive No. 6, above, to the Division's offices located at 265 W. Bullard
15 Avenue, Suite 101, Fresno, CA 93704. If desired, Division staff is willing to meet in the
16 Division's Bakersfield Office at 4925 Commerce Drive, Suite 120, Bakersfield, CA 93309
17 upon request.
18
- 19 8. On or before August 26, 2016, the Water System should submit a plan to the Division of
20 how use of Well 01 will be minimized to reduce nitrate exposure from water produced at
21 this well.
22
- 23 9. Timely perform the Division-approved Corrective Action Plan, and each and every
24 element of said plan, according to the time schedule set forth therein.
25
- 26 10. On or before October 10, 2016, and every three months thereafter, the Water System
27 must record monthly production at Wells 01 – South and 02 – North, and submit a
28 running report of the monthly production at each well during the previous quarter
29 (calendar three months) to the Division.
30

11. On or before October 10, 2016, and every three months thereafter, submit a report to the Division in the form provided as Appendix 4 hereto, showing actions taken during the previous quarter (calendar three months) to comply with the Corrective Action Plan.

12. Not later than ten (10) days following the date of compliance with the nitrate MCL, demonstrate to the Division that the water delivered by Water System complies with the nitrate MCL.

13. Notify the Division in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if Water System anticipates it will not timely meet such performance deadline.

All submittals required by this Order shall be submitted to the Division at the following address:

Tricia A. Wathen, P.E., Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water, Visalia District
265 W. Bullard Ave, Suite 101
Fresno, CA 93704

The State Board reserves the right to make such modifications to this Compliance Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Compliance Order and shall be effective upon issuance.

Nothing in this Compliance Order relieves the Water System of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

This Compliance Order shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Compliance Order are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue citations and compliance orders with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this Compliance Order.



Carl L. Carlucci, P.E., Chief
Central California Section
State Water Resources Control Board
Division of Drinking Water

6-24-2016

Date



- 1 CLC/TAW/CNK
- 2 Appendices:
- 3 1. Applicable Statutes and Regulations
- 4 2. Notification Template
- 5 3. Proof of Notification Form
- 6 4. Quarterly Progress Report
- 7
- 8 Certified Mail No. 7015 1660 0000 0781 9531

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR

Violation of Nitrate MCL

Section 116271 of the CHSC states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116555(a)(1) of the CHSC states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
- (1) Complies with primary and secondary drinking water standards.

Section 116655 (Authority) of the CHSC states in relevant part:

(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the department.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.

- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

Section 64431 (Maximum Contaminant Levels – Inorganic Chemicals) of CCR states in relevant part:
Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO ₃)	45.**
Nitrate+Nitrite (sum as nitrogen) nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Section 64432 (Monitoring and Compliance—Inorganic Chemicals) of CCR states in relevant part:

(a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1. All community and nontransient-noncommunity water systems shall monitor to determine compliance with the perchlorate MCL, pursuant to subsections (d), (e), (l), and section 64432.3. All community and nontransient-noncommunity water systems shall also monitor to determine compliance with the other MCLs in table 64431-A, pursuant to subsections (b) through (n) and, for asbestos, section 64432.2. Monitoring shall be conducted in the year designated by the Department of each compliance period beginning with the compliance period starting January 1, 1993.

(b) Unless directed otherwise by the Department, each community and nontransient-noncommunity water system shall initiate monitoring for an inorganic chemical within six months following the effective date of the regulation establishing the MCL for the chemical and the addition of the chemical to table 64431-A.

(1) If otherwise performed in accordance with this section, groundwater monitoring for an inorganic chemical performed no more than two years prior to the effective date of the regulation establishing the MCL may be used to satisfy the requirement for initiating monitoring within six months following such effective date.

(2) For routine monitoring required in subsection (c), chromium monitoring may be used in lieu of hexavalent chromium monitoring if the chromium results are less than the chromium DLR set forth in table 64432-A.

(c) Unless more frequent monitoring is required pursuant to this Chapter, the frequency of monitoring for the inorganic chemicals listed in table 64431-A, except for asbestos, nitrate/nitrite, and perchlorate, shall be as follows:

(1) Each compliance period, all community and nontransient-noncommunity systems using groundwater shall monitor once during the year designated by the Department. The Department will designate the year based on historical monitoring frequency and laboratory capacity. All community and nontransient-noncommunity systems using approved surface water shall monitor annually. All systems monitoring at distribution entry points which have combined surface and groundwater sources shall monitor annually.

(2) Quarterly samples shall be collected and analyzed for any chemical if analyses of such samples indicate a continuous or persistent trend toward higher levels of that chemical, based on an evaluation of previous data.

...

Section 64432.1. (Monitoring and Compliance--Nitrate and Nitrite) of CCR states in relevant part:

(a) To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems using groundwater and transient-noncommunity systems using approved surface water shall monitor annually, and all community and nontransient-noncommunity systems using approved surface water shall monitor quarterly.

(1) The water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the Department of any acute nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. Within 24 hours of notification, the water supplier shall:

(A) Collect another sample, and

(B) Analyze the new sample; if the average of the two nitrate sample results exceeds the MCL, report the result to the Department within 24 hours. If the average does not exceed the MCL, inform the Department of the results within seven days from the receipt of the original analysis.

(C) If a system is unable to resample within 24 hours, it shall notify the consumers by issuing a Tier 1 Public Notice pursuant to section 64463.1 and shall collect and analyze a confirmation sample within two weeks of notification of the results of the first sample.

(2) For public water systems using groundwater, the repeat monitoring frequency shall be quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than the MCL, a system may request that the Department reduce monitoring frequency to annual sampling.

(3) For public water systems using approved surface water, the repeat monitoring frequency shall be quarterly following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than 50 percent of the MCL, a system may request that the Department reduce monitoring frequency to annual sampling. A system using approved surface water shall return to quarterly monitoring if any one sample is greater than or equal to 50 percent of the MCL.

(4) After any round of quarterly sampling is completed, each community and nontransient-noncommunity system which initiates annual monitoring shall take subsequent samples during the quarter which previously resulted in the highest analytical results.

(b) All public water systems shall monitor to determine compliance with the MCL for nitrite in Table 64431-A, by taking one sample at each sampling site during the compliance period beginning January 1, 1993.

(1) If the level of nitrite in a single sample is greater than the MCL, the water supplier shall proceed as for nitrate in accordance with paragraph (a)(1) of this section.

(2) The repeat monitoring frequency for systems with an analytical result for nitrite that is greater than or equal to 50 percent of the MCL shall be quarterly monitoring for at least one year. After four consecutive quarterly samples are less than the MCL, a system may request that the Department reduce monitoring frequency to annual sampling, collecting subsequent samples during the quarter which previously resulted in the highest analytical results.

(3) The repeat monitoring frequency for systems with an analytical result for nitrite that is less than 50 percent of the MCL shall be one sample during each compliance period (every three years).

(c) All public water systems shall determine compliance with the MCL for nitrate plus nitrite in Table 64431-A. If the level exceeds the MCL, the water supplier shall proceed as for nitrate in accordance with paragraphs (a)(1) through (a)(4) of this section.

...

Section 64463.1 (Tier 1 Public Notice) of CCR states in relevant part:

(a) A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:

(1) Violation of the total coliform MCL when:

(A) Fecal coliform or *E. coli* are present in the distribution system; or

(B) When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or *E. coli* in the repeat sample;...

(b) As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the State Board that it has determined there is a potential for adverse effects on human health [pursuant to paragraph (a)(4),

(5), or (6)], the water system shall:

(1) Give public notice pursuant to this section;

(2) Initiate consultation with the State Board within the same timeframe; and

(3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.

(c) A water system shall deliver the public notice in a manner designed to reach residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms:

(1) Radio or television;

(2) Posting in conspicuous locations throughout the area served by the water system;

(3) Hand delivery to persons served by the water system; or

(4) Other method approved by the State Board, based on the method's ability to inform water system users.

Section 64465 (Public Notice Content and Format) of the CCR states in relevant part:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

- (2) For a Tier 2 or Tier 3 public notice:
 - (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
 - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
 1. Information in the appropriate language(s) regarding the importance of the notice; or
 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
- (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

Section 64469 (Reporting Requirements) of CCR states in relevant part:

- (d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

DRINKING WATER WARNING

**Brock Mutual Water Company Water System
water has high levels of nitrate**

**DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD
OR PREGNANT WOMEN OR USE IT TO MAKE INFANT FORMULA**

Water sample results received _____ [insert date] showed nitrate (as N) levels of _____ [insert level and units]. This is above the nitrate (as N) standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit. [Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.] _____

For more information, please contact _____ [insert name of contact] at _____ [insert phone number] or _____ [insert mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by Brock MWC Water System (No. 15000409). Date distributed: _____.

Certification of Completion of Public Notification

This form, when completed and returned to the Division of Drinking Water - Visalia District (265 W. Bullard Ave. #101, Fresno, CA 93704 or fax to 559-447-3304), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: Brock Mutual Water System

Public Water System No.: 1500409

Public notification for failure to comply with the Nitrate MCL was conducted on:

(Circle one): 1st 2nd 3rd 4th quarter of _____ (year).

Notification was made on _____ (date).

To summarize report delivery used and good-faith efforts taken, please check all items below that apply and fill-in where appropriate:

☐ The notice was distributed by mail or direct delivery to each customer on: _____

One or more of the following methods were used to reach persons not likely to be reached by a mailing or direct delivery (renters, nursing home patients, prison inmates, etc.):

☐ Posted the notice at the following conspicuous locations served by the water system. (If needed, please attach a list of locations). _____

☐ Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).

☐ Posted the notice on the Internet at www. _____

☐ Other method used to notify customers. _____

I hereby certify that the above information is factual.

Certified by: Printed Name _____

Signature _____

Title _____

Date _____

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Division of Drinking Water within 10 days of notification to the public
Nitrate MCL Exceedance / Enforcement Action No.: 03_12_16R_003

Quarterly Progress Report

Water System:	Brock Mutual Water Company Water System	Water System No.:	1500409
Compliance Order No.:	03_12_16R_003	Violation:	Nitrate MCL
Calendar Quarter:		Date Prepared:	

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Visalia District Office.

Summary of Compliance Plan:

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Tasks completed in the reporting quarter:

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Tasks remaining to complete:

--

Anticipate compliance date:

--

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Name

--

Signature

--

Title

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Date